

CONVOCATIONS OF CANTERBURY AND YORK

Meeting on 10 July 2015 at York University

Guidelines for the Professional Conduct of the Clergy

Updated information and Notes

1 The *Guidelines for the Professional Conduct of the Clergy* received preliminary approval at the Convocation meetings held in York on 11 July 2014, and were subsequently the subject of a Take Note debate by General Synod on 17 November 2014.

2 There was broad welcome both for the principle of publishing a new edition of the *Guidelines* and for the draft text of the new edition, both in the Convocations and in the General Synod debate.

3 The working party, comprised of members of both Convocations, met on 28 January 2015 having listened carefully to the debates and having analysed the written reports published subsequently, so as to take into account the many helpful suggestions made by speakers and by those who wrote in with new material. A number of these proposals have been included in the final text.

4 The principal issues raised in the course of all three debates were the state of the law affecting the confidentiality of the ministry of absolution, and the related question of how to address the need to implement effective safeguarding policy and practice throughout the work of the ordained ministry, to which the *Guidelines* are addressed.

5 Extensive legal consultation took place concerning the law relating to the ministry of absolution, and the advice received was that the statement of the current legal position included in section 3 of the *Guidelines* is an accurate statement of the law as it stands. Since the *Guidelines* are not legislation, but advice for clergy based ultimately on the *Ordinal*, the *Guidelines* can not be used to effect change in either statutory provision or in canon law.

6 However very considerable concerns have been raised in the course of these earlier debates, which are now to be addressed by a working party appointed by the Archbishops. The text of the *Guidelines* includes GS Misc 1085 *The Ministry of Absolution* (22 October 2014) in which consideration is given to this issue by the Archbishops' Council.

7 The principle which has been adopted throughout the process of preparing a second edition of the *Guidelines* is that they should not be seen as a final statement in any area of the church's ordained ministry, but a reflection of current best practice and advice, which will need to be kept updated in succeeding editions. Many important things have changed since the publication of the first edition in 2003, including a new Clergy Discipline Measure, the introduction of Common Tenure and new terms and conditions of service for the clergy, and the implementation of new safeguarding arrangements. It is entirely likely that a third edition of the *Guidelines* will be required before very many years have passed, which will incorporate new work which is currently being undertaken.

8 Following the General Synod debate on 17 November 2014, the working party for the Guidelines has met with representatives of MACSAS (Minister and Clergy Sexual Abuse Survivors) to discuss the written representations which they have made concerning the *Guidelines*, and the final edition incorporates the following text provided by MACSAS:

The clergy must always put first the interests of those for whom they are pastorally responsible, and act to protect them even where this requires them to override personal and professional loyalties. It is their duty to raise concerns where they believe that someone's safety or care is being compromised by the practice of colleagues, or by those in authority, or by the systems, policies or procedures with which they are expected to work. They must also encourage and support the development of a culture in which they and their colleagues can raise concerns openly and honestly. Those in authority should listen carefully to their concerns and act upon them where they are justified, enabling those who have the best interests of others at heart to raise concerns without fear of detriment to themselves.

(Section 2.10)

9 In addition, the final text of the *Guidelines* also includes a new appendix 3, containing a formal statement of the Church of England's policy on Safeguarding and a list of relevant documents.

10 At the meetings of the Convocations of both provinces on 10 July 2015 there will be a motion for final approval of the text, together with a motion that the *Guidelines* should be declared an Act of Convocation.

11 An Act of Convocation is not a form of legislation, but a declaration that the document carries the approval of the bishops and clergy assembled formally in Convocation, and therefore it has moral rather than legal force. The *Guidelines* are not a code of conduct, but a compilation of the collective advice, experience and wisdom of the clergy in Convocation, to be shared with the clergy throughout the Church of England, as a reflection upon the nature of their calling as set out in the Ordinal.

12 Readers will quickly see that the text is not an exhaustive compendium either of best pastoral practice or of the law, but it contains within it pointers to where answers to questions may be sought. Not least of which is the principle that those who are called to ordained ministry do not exercise it alone and according to their own interpretation, but as part of a collective body of wisdom upon which they enter at ordination and share with many others, throughout the centuries and in the present day, beginning with the words of the Ordinal on the day when they are ordained as deacons.

The Reverend Stephen Trott
Secretary of the working party
10 June 2015